

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Renee M. Sudano
Debtor(s)

Bankruptcy Case No.: 17-23738-GLT
Issued Per Nov. 8, 2018 Proceeding
Chapter: 13
Docket No.: 69 – 19, 67
Concil. Conf.: February 7, 2019 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 12, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,539 as of November 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 7, 2019 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Department of Revenue at Claim No. 4; Bank of America at Claim No. 9 .
- ☒ H. Additional Terms: The secured claim of Credit Acceptance at Claim No. 1 shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: November 13, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Renee M. Sudano
 Debtor

Case No. 17-23738-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 48

Date Rcvd: Nov 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 15, 2018.

db
 14694666 ++Renee M. Sudano, 512 Ore Street, Ellwood City, PA 16117-1033
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, P.O. Box 982235, El Paso, TX 79998)
 14694667 ++Bank of America, 450 American Street, Simi Valley, CA 93065-6285
 14740129 ++Bank of America, N.A., c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road,
 Anaheim, CA 92806-5948
 14694668 ++Bank of America, N.A., c/o Carrington Mortgage Services, LLC, 1600 South Douglas Road,
 Anaheim, CA 92806-5948
 14694676 ++COLLECTION SERVICE CENTER INC, 363 VANADIUM ROAD, STE 109, PITTSBURGH PA 15243-1477
 (address filed with court: Collection Service Center, P.O. Box 14931, Pittsburgh, PA 15234)
 14709252 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: Columbia Gas of Pa., P.O. Box 117, Columbus, OH 43216)
 14694674 ++Carrington Mortgage Services, LLC, 1600 South Douglass Road, Suite 2,
 Anaheim, CA 92806-5951
 14694677 ++Credit Acceptance, P.O. Box 513, Southfield, MI 48037-0513
 14694678 ++Credit Acceptance, 25505 West Twelve Mile Rd, Suite 3000, Southfield, MI 48034-8331
 14694682 DirectTV, LLC, c/o American Infosource, LP as agent, P.O. Box 5008,
 Carol Stream, IL 60197-5008
 14694683 ++ECMC, 101 East Fifth Street, Saint Paul, MN 55101-7515
 14728321 ++ECMC, PO BOX 16408, St. Paul, MN 55116-0408
 14694684 ++Ellwood City Hospital, 724 Pershing Street, Ellwood City, PA 16117-1499
 14709253 ++Ellwood Electric, 525 Lawrence Avenue, Ellwood City, PA 16117-8528
 14694685 ++First Premier Bank, 601 S. Minnesota Avenue, Sioux Falls, SD 57104-4868
 14694686 ++KML Law Group, Suite 5000 - Mellon Independence Center, 701 Market Street,
 Philadelphia, PA 19106-1538
 14694687 ++Lawrence County DRS, 430 Court Street, New Castle, PA 16101-3558
 14694690 ++Med Express Urgent Care, 870 Rostraver Road, Belle Vernon, PA 15012-1945
 14694691 ++Pa SCDU, P.O. Box 69110, Harrisburg, PA 17106-9110
 14694693 ++Prober & Raphael, 20750 Ventura Blvd., Suite 100, Woodland Hills, CA 91364-6207
 14694694 ++Progressive Insurance, 6300 Wilson Mills Road, Mayfield Village, OH 44143-2182
 14694697 ++U.S. Dept. of HUD, 451 7th Street, S.W., Washington, DC 20410-0001
 14694699 ++Walton Financial, 505 Lawrence Street, Ellwood City, PA 16117-1927

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

14694665 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Nov 14 2018 03:23:39
 Capital One Auto Finance, a division of Capital On, c/o Ascension Capital Group,
 4515 N. Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
 14771625 +E-mail/PDF: resurgentbknofications@resurgent.com Nov 14 2018 03:23:44
 Ashley Funding Services, LLC, c/o Resurgent Capital Services, P.O. Box 10587,
 Greenville, SC 29603-0587
 14694669 +E-mail/PDF: resurgentbknofications@resurgent.com Nov 14 2018 03:23:44
 Ashley Funding Services, LLC its successors and, assigns as assignee of Laboratory,
 Corporation of America Holdings, Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587
 14694673 +E-mail/Text: EBN_Greensburg@Receivemorermp.com Nov 14 2018 03:27:04
 Berks Credit & Collections, 900 Corporate Drive, Reading, PA 19605-3340
 14694675 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 14 2018 03:23:38
 Capital One Bank (USA), N.A., 15000 Capital One Drive, Richmond, VA 23238
 14694671 +E-mail/Text: bankruptcy@jdbryder.com Nov 14 2018 03:26:56
 12802 Hamilton Crossing Blvd., Carmel, IN 46032-5424
 14694670 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Nov 14 2018 03:24:00
 Capital One Auto Finance, c/o Ascension Capital Group, P.O. Box 201347,
 Arlington, TX 76006-1347
 14694672 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Nov 14 2018 03:34:38
 Capital One Auto Finance, 3901 Dallas Parkway, Plano, TX 75093-7864
 14694679 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 14 2018 03:24:15
 Capital One Bank (USA), N.A., P.O. Box 71083, Charlotte, NC 28272-1083
 14694680 +E-mail/Text: bankruptcy_notifications@ccsusa.com Nov 14 2018 03:26:54
 Credit Collection Service, P.O. Box 607, Norwood, MA 02062-0607
 14694681 +E-mail/Text: abovay@creditmanagementcompany.com Nov 14 2018 03:26:33
 2121 Noblestown Road, Pittsburgh, PA 15205-3956
 Credit Management Co.,
 14694688 +E-mail/PDF: creditonebknofications@resurgent.com Nov 14 2018 03:23:42
 P.O. Box 98875, Las Vegas, NV 89193-8875
 Credit One Bank,
 14694689 +E-mail/PDF: resurgentbknofications@resurgent.com Nov 14 2018 03:23:45
 c/o Resurgent Capital Services, P.O. Box 10587, Greenville, SC 29603-0587
 LNNV Funding, LLC,
 14770961 +E-mail/PDF: resurgentbknofications@resurgent.com Nov 14 2018 03:23:43
 P.O. Box 10497, Greenville, SC 29603-0497
 LVNV Funding, LLC
 14787498 +E-mail/PDF: resurgentbknofications@resurgent.com Nov 14 2018 03:24:03
 LVNV Funding, LLC its successors and assigns as as, PO Box 10587,
 Greenville, SC 29603-0587

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 48

Date Rcvd: Nov 13, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14724351 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 14 2018 03:24:19
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14695291 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 14 2018 03:24:19
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14709254 E-mail/Text: csc.bankruptcy@amwater.com Nov 14 2018 03:26:57 Pa-American Water Co.,
P.O. Box 578, Alton, IL 62002-0578
14710058 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 14 2018 03:25:59
Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946,
Harrisburg PA 17128-0946
14694692 +E-mail/Text: JCAP_BNC_Notices@jcap.com Nov 14 2018 03:26:26 Premier Bankcard, LLC,
c/o Jefferson Capital Systems, LLC, P.O. Box 7999, Saint Cloud, MN 56302-7999
14735459 +E-mail/Text: JCAP_BNC_Notices@jcap.com Nov 14 2018 03:26:27 Premier Bankcard, LLC,
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
14694696 +E-mail/Text: bankruptcydepartment@tsico.com Nov 14 2018 03:26:43 Transworld Systems, Inc.,
507 Prudential Road, Horsham, PA 19044-2308
14694698 E-mail/Text: wfmelectronicbankruptcy@verizonwireless.com Nov 14 2018 03:25:22
Verizon, 500 Technology Drive, Suite 300, Weldon Spring, MO 63304-2225
TOTAL: 24

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr BANK OF AMERICA, N.A.
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14694695 ##+Robert Sudano, 228 Hazel Avenue, Ellwood City, PA 16117-1042

TOTALS: 1, * 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on November 13, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
Michael S. Geisler on behalf of Debtor Renee M. Sudano m.s.geisler@att.net,
msgeis@yahoo.com;michaelgeisler13@gmail.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 4